Filed 09/13/2007

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

SEGONE, INC.,

Plaintiff.

v.

Civil Action No. 3:07cv342-JRS

FOX BROADCASTING COMPANY,

Defendant.

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

For the reasons set forth in the accompanying Memorandum, plaintiff segOne, Inc. hereby moves for summary judgment on its request for declaratory relief and respectfully asks this Court to issue an order declaring that use of the segOne Device, in conjunction with programming whose copyright is owned by Fox Broadcasting Company, does not result in copyright infringement under the federal Copyright Act, 17 U.S.C. § 101 et seq.

Respectfully submitted,

segOne, Inc.

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By: /s/ James Gibson

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Dated: Sept. 13, 2007

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of September, 2007, I will electronically file the foregoing Motion for Summary Judgment, along with an accompanying memorandum and exhibits, with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/

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